

**RESOLUTION NO. Z-21-04 OF
THE EAST COUNTY BOARD OF ZONING ADJUSTMENTS
ADOPTED AT THE HEARING OF FEBRUARY 11, 2021 CONCERNING
PLN2020-00094**

WHEREAS CASTLEWOOD COUNTRY CLUB/VEST HAVE FILED FOR A MODIFIED CONDITIONAL USE PERMIT, PLN2020-00094, to allow demolition of an existing pool and pool building and construction of a new replacement pool and sports center building in the same location, renovation of the main club house, and complete site and landscape improvements at Castlewood Country Club, in an 'A' (Agricultural) District, located at 707 Country Club Circle, north side, approximately 870 feet northwest of Castlewood Drive, Castlewood/Pleasanton area of unincorporated Alameda County, bearing Assessor's Parcel Number: 946-4386-001-26; and

WHEREAS the Board did hold a public hearing on said application at the hour of 1:30 p.m. on the 11th day of February 2021, via virtual hearing; and

WHEREAS it satisfactorily appears from affidavits on file that proper notice of said public hearing was given in all respects as required by law; and

WHEREAS this application has been reviewed in accordance with the provisions of the California Environmental Quality Act and has been found to be categorically exempt under Sections 15301 "Existing Facilities" and 15302 "Replacement and Reconstruction"; and

WHEREAS a Pre-Hearing Analysis was submitted recommending the application be conditionally approved; and

WHEREAS the Applicant appeared at said public hearing and presented testimony in support of the application; and

WHEREAS the Board did hear and consider all said reports, recommendations and testimony as hereinabove set forth;

NOW THEREFORE

BE IT RESOLVED that the Board finds that:

- (a) The use is required by the public need in that there are limited outdoor recreation facilities in this area of eastern Alameda County, and local residents must travel further to densely populated locations in the County to enjoy and obtain use of such amenities. Such facilities provide places for exercise and to improve one's health.
- (b) The use will be properly related to other land uses and transportation and service facilities as the site is located near transportation infrastructure and adjacent development has developed to accommodate the continued operation and improvement of the Country Club.
- (c) Under all circumstances and conditions of this particular case, the use will not materially affect adversely the health or safety of persons residing or working in the vicinity, or be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood in that the proposal to construct a new outdoor recreation facility adjunct building serves to replace an existing building that has been in continuous operation for

many decades. The facility is surrounded by a golf course that provides a sound buffer to properties surrounding the area. The Castlewood Country Club buildings do not abut residences in a way that would impact health, safety and public welfare or be injurious to property.

- (d) The use will not be contrary to character or performance standards established for the District in which it is to be considered in that community facilities including outdoor recreation facilities, are allowed with the approval by the Board of Zoning Adjustments of a Conditional Use Permit in the "A" (Agriculture) zone district, per Zoning Ordinance Section 17.06.040A. The intent clause of the A zone district includes "... to promote implementation of general plan land use proposals for agricultural and other nonurban uses, ..." and furthermore, the East County Area Plan allows community facilities if the use meets the community facilities goal and policies.

NOW THEREFORE

BE IT FURTHER RESOLVED that the Board does hereby approve the said application as shown by materials labeled Exhibit 'A' received June 11, 2020, on file with the Alameda County Planning Department subject to the following conditions:

AUTHORIZATION

1. All improvements shall be constructed in substantial compliance with the approved plans, dated June 11, 2020 marked as Exhibit B.

Authorization: This permit authorizes the Castlewood Country Club to demolish the existing pool and pool building, construct a new replacement pool and a one-story sports center building in the same location, of approximately 3,800 square feet in floor area and 21' in height, and remodel the interior and exterior of the existing 55,320 square foot main club house with approximately 9,970 square feet of dining space within 4 different dining facilities, landscape and site improvements, outdoor seating areas and outdoor landscape fountains. This modification of the prior Conditional Use Permit for the Castlewood Country Club (PLN2018-00108) is exclusively for the improvements shown on Exhibit B and for facilities and site improvements at 707 Country Club Circle, Pleasanton, CA, designated Assessor's Parcel Numbers 946-4386-001-26, and does not apply to other Country Club properties such as the two eighteen-hole golf courses.

2. The project shall meet all required conditions of approval. This shall be demonstrated on the plans and in supporting documentation prior to issuance of a building permit.
3. Hold Harmless: The property owner, permittee, or its successor, shall defend, indemnify, and hold harmless Alameda County and its agents, officers, and employees from any claim, action, or proceeding against Alameda County or its agents, officers or employees to attack, set aside, void, or annul this Conditional Use Permit, PLN2020-00094, the findings of the CEQA determination, or any combination thereof. Such indemnification shall include, but not be limited to, an award of costs and attorney's fees incurred by Alameda County in its defense. The County shall promptly notify applicant of any such challenge.
4. Liability. By exercise of this Conditional Use Permit, the Permittee agrees to defend, indemnify and hold harmless the County of Alameda, its officers, employees, agents and servants for any and all liability caused by the negligence or wrongful act of the Permittee arising out of the exercise of this

Conditional Use Permit, and to pay all claims, damages, judgments, legal costs, adjuster fees, and attorney fees related thereto.

5. The project shall comply with the requirements of the following agencies:
 - a. Alameda County Public Works Agency, Building Inspection Department
 - b. Alameda County Public Works Agency, Land Development Department
 - c. Alameda County Grading Department
 - d. Alameda County Sherriff's Department
 - e. Alameda County Fire District
 - f. Alameda County Environmental Health Department
 - g. Alameda County Code Enforcement Division
6. Property owner, Permittee, and their successors shall comply with all Federal, State, and Local Laws, Regulations and Alameda County Ordinances.
7. A mandatory review shall be conducted ten years from approval for this Conditional Use Permit, PLN2020-00094. As a result of the mandatory review, a permit for renewal and public hearing may be required to review the original conditions of approval to determine compliance with the findings that supported the original permit approval. Any condition of approval modified or added will ensure the activity continues in conformance with the intent and purpose of the zoning ordinance, and shall be of the same force and effect as if originally imposed. Review costs shall be borne by the applicant.
8. Optional Review/Revocation/Revision. At any time during the term of this permit and after notice as provided for in the initial hearing, this matter may be set for rehearing by the Board of Zoning Adjustments for the purpose of making a determination whether the use of the site has ceased for a period of six months, and whether the permit should be therefore revoked, or whether conditions previously imposed should be modified or new conditions should be added to assure continued affirmative findings for this permit. This reconsideration may include imposition of requirements such as painting antennas and support structures, and/or other treatments of the antennas and other appurtenances to ensure public safety, compatibility with the surrounding neighborhood and with applicable policy. Any condition modified or added shall have the same force and effect as if originally imposed.
9. Minor changes or additions to permit conditions stated herein or the approved site plan may be authorized by the Planning Director subject to a determination that any proposed change or addition is found to be in substantial compliance with the original approved permit conditions or site plan.
10. Maintenance: The entire premises, including, driveways, parking areas, accessory structures, and landscaping shall be maintained by the property owner in a functional and attractive manner to the standards of the Neighborhood Preservation Ordinance, Title 6, Chapter 6.65 Unincorporated Alameda County Real Property Nuisances.
11. The project shall comply with County Noise Ordinance Section 6.60.
12. Development in the Castlewood Area requires approval of the Public Works Agency Special District Administrator, purchase of capacity into sewer and/or water system and payment of applicable fees. Applicant must provide proof of water rights if they desire to connect to the Castlewood CSA water delivery system Applicant must submit plans showing location where any sanitary sewer and/or water connection is proposed so that appropriate plan review and requirements may be made.

13. All roadway and storm drain facilities are to conform to Alameda County's Subdivision Design Guidelines and Hydrology and Hydraulics Criteria Summary. All work must be in compliance with Alameda County ordinances guidelines and permit requirements.
14. New development projects creating or replacing 10,000 square feet or more of impervious surfaces must provide Numeric Sizing Criteria for storm water treatment. The project will be required to design and install a permanent post-construction storm water treatment facility on the site which conform to the current version of the C.3 Technical Guidance as published by the Alameda County Clean Water Program. The stormwater treatment system must be maintained in perpetuity.
15. On-site driveway and parking area structural pavement section are required to be designed by a civil engineer.
16. Parking space sizes should conform to the County minimum of 9' x 18' for compact vehicles, 9' x 20' for standard vehicles and 14' x 20' for handicapped parking.
17. Construction activities shall not interfere with the safe ingress and egress of the site and/or the required site distance at the driveway entrance.
18. It is the responsibility of the applicant to comply with Federal, State and local water quality standard and regulations. In order for the County and applicant to comply with our National Pollutant Discharge Elimination System (NPDES). Municipal Storm Water Permit issued by the San Francisco Bay Regional Water Quality Control Board; storm water quality measures must be implemented. The applicant shall provide measures to prevent discharge of contaminated materials into public drainage facilities during both construction and post-construction periods. Refer to the Alameda County Urban Runoff Clean Water Program Preamble to the State BMP Handbooks for additional guidance.
19. Provide a construction entrance and remove all silt, gravel rubbish, and green waste from the street gutter and sidewalks after each workday. Provide regular maintenance daily, weekly, and after storm events, to keep the access point clean of debris which may be washed away. During week months, avoid driving on wet areas and tracking mud and silt onto paved areas.
20. Minimize removal of any vegetation. Stabilize all cleared and de-vegetated areas prior to the rainy season, October 1st. Stabilization techniques should include temporary or permanent reseeding, mulching, protective berms and silt fences, plastic covering or rocking of all road in use, and should be based on ABAG erosion control or California Water BMP Handbook standards.
21. Protect all adjacent properties from stormwater or silt run-off generated by off-site construction.
22. Prevent construction-related contaminants from entering the storm drain system. Gather all construction debris on a regular basis. Store all construction materials and waste in a covered area, or under a tarp. Sweep where possible; do not use water to wash down areas draining to storm drains. Indicate on the plan materials and waste storage areas, which can be covered during storms. Indicate on the plan vehicle parking, maintenance, and cleaning areas. Use proper equipment cleaning, fueling and maintenance practices. Indicate on the plans an area for concrete truck washout, which is contained.
23. Use sediment controls and filtration to reduce sedimentation from dewatering effluent.
24. Control the use and prevent discharge to storm drains of all potential pollutants. For example, pesticides, petroleum products, nutrients (plant wastes), solid wastes, and construction discharges from dewatering activities, street washing, and pavement saw cutting. Install filter materials (sandbags, filter

fabric) at all storm inlets, which drain the site. Filters shall be maintained and changed regularly to ensure effectiveness and prevent flooding. Dispose of filtrate properly.

25. Include on the plan the following emergency measures: storage of extra erosion control items on-site (hay bales, silt fence, life vests), alternative drainage or erosion control measures, locations of high drainage flow potential, emergency contact names and phone numbers of the contractor, developer, and person who prepared the plan.
26. Landscape irrigation shall be designed such that runoff is minimized. Use pesticides and fertilizers shall be minimized to prevent storm water contamination.
27. Trash enclosures and/or recycling areas must be completely covered. No other area shall drain into this area and this area shall not drain out to other area. Drains from trash or recycling areas shall not connect to the storm drain. Drains should connect to the sanitary sewer, with the approval of the Sanitary District.
28. In order to help discourage of litter and other pollutants into the drains, the developer shall stencil emboss the concrete or affix an iron placard on the storm drain inlets where storm water runoff from the site may enter the storm drain system with the message: "NO DUMPING! DRAINS OT BAY", or other approved wording.
29. The project sponsor or its successors shall be responsible for payment of all reasonable costs associated with the necessary inspections of the conditions of approval contained in the authorization of the facility, including costs incurred by the Community Development Agency, the County Fire Department, the Building Inspection Division, the Public Works Agency or any other applicable Federal, State or County department or agency.
30. Any landscaping damaged during facility construction, installation and/or maintenance, shall be restored to the satisfaction of the Planning Director.
31. Any outstanding Planning Department balance will be required to be paid in full or an approved payment schedule shall be arranged with Alameda County prior to building permit issuance.
32. The Conditional Use Permit shall remain revocable for cause in accordance with Section 17.54.030 of the Alameda County Zoning Ordinance.

**EAST COUNTY BOARD OF ZONING ADJUSTMENTS
ALAMEDA COUNTY PLANNING DEPARTMENT**